

1 form high noise levels is mentioned in the EIR, and may
2 satisfy NEPA, it only partially fulfills obligations of the
3 Marine Mammal Protection Act and does not prescribe means of
4 effecting the least practicable impact.

5 The Marine Mammal Protection Act takes
6 precautionary measures -- takes a precautionary view that
7 almost any disturbance of marine species is potentially
8 damaging. The regularity of vessel traffic and operations
9 can create a noise disturbance that will negatively impact
10 whale migration patterns.

11 Other pelagic species may similarly be impacted,
12 but the EIR does not address noise impacts on other species,
13 such as sea turtles.

14 In addition to acute impacts, noise pollution's
15 cumulative impacts should be addressed, but are not, in this
16 EIR.

17 There should be information included about whether
18 animals, confronted with industrial noise, appear to deviate
19 from their migration paths, or alter their diving patterns,
20 or cease to vocalize.

21 The greatest danger to marine life may be moderate
22 and incremental, "the death of a thousand cuts," to quote
23 Sylvia Earle.

24 Because these impacts have not been adequately
25 addressed, a supplemental or subsequent EIR should be

T005-70.1
(cont'd)

1 drafted to address them.

2 And if you'll allow me, Dr. Woodrow Clark was
3 unable to attend this evening, and he's asked me to submit
4 an article, that he published in the Electricity Journal,
5 into the record. Dr. Clark served as Senior Policy Advisor
6 for Energy Reliability, and Deputy Director in the
7 Governor's Office of Planning and Research, and was Governor
8 Davis's designee to the Natural Gas Task Force, and LNG
9 Working Group.

10 His article deals with Section 1.2, the need for
11 this project, and it's entitled, "Forget About Liquid
12 Natural Gas, We Need Diverse Clean Energy Now."

13 And regarding this issue, I'd like to personally
14 say that the discussion has been primarily about siting,
15 about facility location. But the main question is do we
16 really need this? Is this the best way for California to
17 have a sustainable energy supply, a renewable energy supply?
18 Should we assume the economic risks? Have we considered the
19 risks of economic terrorism?

20 We should not rush or race to the issue, or to
21 issue permits and to certify an EIR because an industry
22 tells us we should. Rather, the debate, and discussion, and
23 discourse should be about California energy needs and energy
24 policy, about what Californians want for our future, not
25 what those who profit from us tell us we need, but what we,

T005-70.2

T005-70.2

Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission. As discussed in Section 1.2.5, the proposed Project is an investment by BHPB, a private firm, without any funding by public sources.

1 in an unmanipulated market, decide for ourselves what we
2 should do.

T005-70.2
(cont'd)

3 Thank you.

4 (Applause.)

5 MODERATOR MICHAELSON: Jane Tolmach? Divine
6 Placides? Marcia Cummings?

7 MS. CUMMINGS: I think it's fortuitous that
8 I'm --

COMMENTER
T005-71

9 MODERATOR MICHAELSON: Could you give us your
10 name, please? Thanks.

11 MS. CUMMINGS: My name is Marcia Cummings. Do you
12 want me to spell it?

13 MODERATOR MICHAELSON: No, that's fine.

14 MS. CUMMINGS: Okay. And I was an organizer of a
15 local organization, called SAFE Air, okay. And I think it's
16 fortuitous that I come right after a person from Southern
17 California Gas, because I wanted to address, again, the
18 issue of the safety of LNG and natural gas in the pipeline,
19 which would be installed underneath Oxnard.

T005-71.1

20 One of the proposed pipeline routes is right
21 behind my house, so it would be very much of a concern to
22 me.

23 I'm going to read -- I'll try to read this
24 quickly, because I really want to cover this. It's pretty
25 short. This is an insert that Southern California Gas puts

T005-71.1

Section 4.2 and Appendix C contain additional and revised information on public safety. Section 4.2.8 contains information on safety requirements for pipelines. Section 4.13.1 discusses the proximity of the proposed pipeline routes to residences and schools.

1 right in our bill.

2 If you didn't happen to read it, you can go onto
3 their website and read it. And I won't read all of it.

4 They say, about pipeline maintenance and
5 improvement -- put on my glasses --

6 "The gas company patrols, inspects,
7 tests, repairs, replaces, and maintains
8 its pipelines. We demonstrate our
9 commitment to safety by meeting or
10 exceeding federal and State requirements
11 for safe pipeline operations.

12 "Our ongoing pipeline improvement
13 plan includes replacing older pipelines,
14 when needed, with modern pipeline
15 materials, expanding our system to bring
16 in new gas supplies, and helping to
17 minimize the system damage that could be
18 caused by earthquakes. We also use the
19 latest pipeline safety inspection tools
20 to check pipe condition."

21 That makes me feel better. But there's no Ph.D.,
22 no expert, anyone that can tell me that LNG is safe. No
23 EIR, that's this thick, can tell me that LNG or natural gas
24 are safe. It's a little white lie. Because you put it with
25 air, oxygen, and you give it a source of ignition, and it's

T005-71.2

LNG would not be on shore, and an accident involving LNG would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. The design, construction, and operation of natural gas facilities are highly regulated; the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration and the California Public Utilities Commission's Division of Safety and Reliability have jurisdiction over pipelines. Section 4.2.8 discusses the background, regulations, impacts, and mitigation measures for natural gas pipelines.

T005-71.2

1 not safe at all.

2 And I heard someone say that the old -- we've
3 reduced the amount that it might destroy from 26 miles, to a
4 mile. How many people are in a mile, in Oxnard?

5 But let me go on. "Signs of a gas pipeline leak."
6 We have leaks, even though we're this safe?

7 "As a result of our safety
8 commitment, natural gas pipeline leaks
9 are rare. However, leaks can occur due
10 to natural disasters, damage by third
11 party contractors, or hidden corrosion."

12 Okay, suddenly we're saying that the regular size
13 pipeline can have a leak.

14 Now, we're talking about a huge, high-pressure
15 gasline, much more pressure than the ones we're talking
16 about, that are in Oxnard right now.

17 What do we do if we suspect a leak? It tells are
18 sorts of things that can happen.

19 Am I done?

20 MODERATOR MICHAELSON: Yes, thank you,
21 Ms. Cummings?

22 MS. CUMMINGS: Has it been three minutes?

23 MODERATOR MICHAELSON: Yes, it's been three
24 minutes.

25 MS. CUMMINGS: Can I read you one statistic

T005-71.3

T005-71.3

Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

T005-71.4

The maximum operating pressure (MAOP) for each of the twin 24-inch subsea pipelines is 1,500 pounds per square inch gauge. Over the length of the subsea pipelines, pressures would decrease to 1,100 pounds per square inch at the meter and piping at the onshore metering station. The MAOP for the 36-inch Center Road Pipeline and its alternatives is 1,100 pounds per square inch, and the MAOP for the 30-inch Line 225 Pipeline Loop in Santa Clarita is 845 pounds per square inch. The capacity, size, and pressure of the proposed pipelines are comparable to existing pipelines in Oxnard and Ventura County.

T005-71.4

1 before?

2 MODERATOR MICHAELSON: No, thanks, we need to move
3 on to the next speaker. Thank you.

4 MS. CUMMINGS: Okay, I'll give it to somebody else
5 to read.

6 (Applause.)

7 MODERATOR MICHAELSON: Again, you can -- again,
8 you can submit written comments with as much detail as you
9 want.

10 MS. CUMMINGS: Pardon me?

11 MODERATOR MICHAELSON: You can submit written
12 comments with as much detail as you want.

13 MS. CUMMINGS: Okay.

14 MODERATOR MICHAELSON: Miguel Gonzalez?
15 Michelle Hoffman?

16 MS. HOFFMAN: I know you saw me last night, but I
17 was representing Rim Fay. Tonight I'm here for myself.
18 I've already whacked a third of my comments down because
19 they would be redundant.

20 But alternative fuels have not been adequately
21 discussed at the hearings or in the Environmental Impact
22 Report.

23 Looking through the Executive Summary, the only
24 alternatives I saw were taking no action, a deepwater
25 location that would cross the shore at Mandalay Beach, and

T005-72.1

Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan.

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

COMMENTER
T005-72

T005-72.1

1 following Gonzales to Rose, or an onshore pipeline route
2 through Reliant Energy's Ormond Beach generation station.

3 What I did not see is the potential for
4 alternative energy.

5 We can all agree that the computer, and its
6 millions of websites, have become an accepted venue of
7 information and communication. I logged on, with some
8 interesting results. I typed "net metering" into the search
9 engine, 137,000 sites came up.

10 From the Union of Concerned Scientists, the
11 definition of net metering allows customers, who produce
12 more electricity, than they are using at a given moment, to
13 feed the surplus directly into the grid and run their single
14 electricity meter backward.

15 The Pacific Gas & Electric site contains the
16 guidelines for 10 kilowatt, or less, residential, or small
17 commercial, solar, wind, or hybrid systems.

18 The Maryland Energy condition -- Administration,
19 has an interesting site about the photovoltaics for
20 utilities.

21 And in Vermont, which produces less sunshine than
22 we've got here, a certificate of public good is issued and
23 can be used to purchase energy, saving equipment that is
24 exempt from the normal five percent sales tax.

25 When I typed renewable energy into the search

T005-72.1
(cont'd)

T005-72.2
Thank you for the information.

T005-72.2

1 engine, 788,000 sites were available, including one from the
 2 U.S. Department of Energy, titled, "Energy Efficiency and
 3 Renewable Energy."

4 Searching for solar energy produced two million
 5 ten thousand sites, many that offer free solar panels.

6 There were three million, four hundred thousand
 7 sites for wind power.

8 By the way, have you noticed how many Honda
 9 Insights and Toyota Prius' there are on the roads, now?

10 We left the horse and buggy in the 19th century.
 11 Let's leave the fossil fuels in the 20th century.

12 (Applause.)

13 MODERATOR MICHAELSON: Mark Papay?

14 MR. PAPAY: Good evening. My name is Mark Papay,
 15 I'm a land use and environmental attorney, and I have a 30-
 16 year background as a landscape architect and environmental
 17 consultant, and I prepared some of the reports that are
 18 contained in the EIR. In particular, the aesthetics
 19 section, which I want to address.

20 Page 4.4-23. Impacts Number 1 and 4 in that chart
 21 have identified, as a mitigation, that "the applicant shall
 22 submit a plan that shows that the project will apply
 23 restrictions on lighting," et cetera.

24 In other words, they are saying that -- they are
 25 making a finding that this impact has been mitigated simply

T005-72.2
(cont'd)

T005-72.3

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-73.1

Impacts AES-2 and AES-5 in Section 4.4.4 contain revised information on lighting impacts. NEPA and the CEQA require that an EIS/EIR contain a detailed discussion of possible mitigation measures; however, NEPA does not require that a complete mitigation plan be done at the time of the EIS. In *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 109 S. Ct 1835 (1989), the court determined that "[t]here is a fundamental distinction, however, between a requirement that mitigation be discussed in sufficient detail to ensure that environmental consequences have been fairly evaluated, on the one hand, and a substantive requirement that a complete mitigation plan be actually formulated and adopted, on the other."

T005-72.3

Under the CEQA, mitigation measures "may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specific way." (State CEQA Guidelines section 15126.4(b)).

COMMENTER
T005-73

T005-73.1

1 by the fact that they're going to submit a plan. They
2 haven't even seen the plan. Therefore, there can be no
3 mitigation as to those two issues.

T005-73.1
(cont'd)

4 In regards to Impact Number 2, which generally
5 refers to alteration of views, I draw your attention to Page
6 4.4-31. It says here that, "although the views from higher
7 coastline and island points would be altered by the presence
8 of the FSRU, different populations would dispute the
9 significance of the change." A statement based on nothing.
10 They just pulled that out of thin air, there's no basis for
11 it, whatsoever. And it's an insignificant statement,
12 anyhow.

T005-73.2

13 "Due to the distance of the FSRU
14 from key observation points and the
15 maritime character of the FSRU in the
16 distance, this EIS/EIR concludes that
17 the FSRU would not substantially degrade
18 the character of the area, degrade an
19 existing viewshed, or scenic vista, or
20 alter the character of the viewshed by
21 the introduction of anomalous structures
22 or elements."

23 Again, a conclusory statement based on nothing.
24 When I prepared this type of a report I had probably five or
25 six pages addressing the specific issue that they have two

T005-73.2

Section 4.4 and Appendix F contain information on visual resources, impacts, and mitigation. Appendix F describes how visibility from various distances was evaluated and provides additional simulations prepared for viewpoints at elevated sites along the Malibu coastline and inland areas.

1 sentences. And the proper way to do this is to have a panel
2 of licensed aesthetics experts, i.e., landscape architects
3 and architects, who render their opinions, and then these
4 results are then averaged, and then you come up with a real
5 result, instead of a scientist making a statement, based on
6 nothing, about something that he knows nothing about.

7 Thank you.

8 (Applause.)

9 MODERATOR MICHAELSON: Al Geverink?

10 And the next cards that I have include the
11 Reverend William Lowe, Michael Mosser, Alan Gluck, Hayden
12 Riley, Linda Calderon, Alice Tsang, and Randy Witt.

13 Reverend William Lowe?

14 REVEREND LOWE: Thanks for this opportunity. I am
15 Father Bill Lowe, I'm a retired Priest, of the Episcopal
16 Church, from Boston, and I'm now living in Camarillo. And
17 I'm here to speak, as someone who has actually lived in the
18 shadow of an LNG facility.

19 My last two years in Boston, our family lived on
20 the Mystic River, which overlooks Bunker Hill, and the area
21 where the British landed to fight that battle. And it's a
22 short river. It's a river off of Boston Harbor. And the
23 largest ships ever to enter Boston Harbor passed within a
24 hundred yards of our bedroom windows, and these were LNG
25 tankers.

T005-73.2
(cont'd)

T005-74.1
Thank you for the information.

COMMENTER
T005-74

T005-74.1

1 About once every ten days an LNG tanker, very
2 large, came down the Mystic River from one end, at the
3 bridge, to the other, and was there for 24 hours, while it
4 was being downloaded.

5 That there is a potential danger is
6 incontrovertible. Many of us believe that an LNG storage
7 facility can be an attractive site for terrorists, and many
8 people have said that tonight.

9 The federal, State, and local governments were all
10 concerned and very, very active in providing security for
11 us, on the Mystic River, and for the City of Boston, and the
12 City of Everett, and the City of Chelsea.

13 The Mayor of Boston, Tom *Mennino, has never been
14 convinced that there has been enough security provided for
15 that LNG facility, because of it's temptation.

16 When an LNG ship arrives, and this is still true,
17 at one end of the Mystic River, under the bridge, it's a
18 large bridge, three lanes going in each direction,
19 connecting Boston to the City of Chelsea, and to Revere.
20 The bridge, the Mystic Bridge -- yes, the Mystic Bridge is
21 closed to all traffic. The river is closed to all river
22 traffic. And there is no boating allowed, except for the
23 three Coast Guard boats, with machine guns mounted on the
24 front of them, and police cars, state, and county, and local
25 police parked along the sides of the Mystic River.

T005-74.1
(cont'd)

T005-74.2

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T005-74.2

T005-74.3

Thank you for the information. Section 4.2.7.3 and Appendix C3-2 contain information on LNG carrier security.

T005-74.3

1 It's true that this project will not put the
2 people of Oxnard at ground zero, which is where we lived in
3 Boston, but I think it's close enough, in spite of some of
4 the statistics I've heard. I heard different statistics in
5 Boston. We're glad not to be living there anymore.

6 And there's also the matter of the pipeline
7 umbilical cord, which connects the people of Oxnard to the
8 structure.

9 So I really want to make that point about security
10 and the possibility of terrorism. Thank you.

11 (Applause.)

12 MODERATOR MICHAELSON: Thank you.

13 Michael Mosser?

14 MR. MOSSER: Good evening. I'm Michael Mosser, I
15 live in Ventura County. Thank you very much for this
16 opportunity to speak at this forum, this evening.

17 Just like the Reverend, before me, I lived in
18 another area of the United States. I'm from the Lancaster
19 County area, which is near Harrisburg, Pennsylvania, famous
20 for the nuclear accident at Three-Mile Island.

21 This facility's been sold to the public as a safe
22 and a necessary facility for our energy needs.

23 We, the people of the United States, continue to
24 live with the effects of that major nuclear meltdown, be
25 they health or economic. No nuclear power -- new nuclear

T005-74.4

T005-74.4

Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

T005-74.5

T005-74.6

T005-74.5

Section 4.2.8 addresses safety issues related to natural gas pipelines. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents.

COMMENTER
T005-75

T005-74.6

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T005-75.1

T005-75.1

Thank you for the information.

1 power plants have been ordered for construction since.

2 As a member of the *Susquehanna Valley Alliance, I
3 worked with the Nuclear Regulatory Commission to ensure that
4 the public opinion was heard and considered during the
5 clean-up of Three-Mile Island.

6 Thank you for considering our opinions, tonight,
7 on the LNG terminal. And I encourage you to extend the time
8 for submission of public comments.

9 Tonight, I heard that the local gas company --
10 what the local gas company had said about design safety,
11 ongoing inspections, and upgrades. This effort may not be
12 enough.

13 Safety issues are often overlooked when economics
14 and corporate profit are more important.

15 Please keep Ventura County safe and beautiful.
16 Thank you.

17 (Applause.)

18 MODERATOR MICHAELSON: Alan Gluck?

19 MR. GLUCK: Thank you. My name's Alan Gluck.

20 And rather than reiterating most of the comments
21 tonight, on terrorism and everything else, it seems like
22 there's a couple of things that are quite obvious. I can't
23 imagine anybody going ahead with this project at this point
24 in time, without further investigation, whether it be 60
25 days or more. It would just seem to be -- it would seem to

T005-75.1
(cont'd)

T005-75.2

T005-75.3

COMMENTER
T005-76

T005-76.1

T005-75.2

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could not be extended at that time, a March 2006 Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold a hearing to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

T005-75.3

Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

T005-76.1

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could not be extended at that time, a March 2006 Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold a hearing to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

1 be irresponsibility with what was heard, and so far that
2 I've heard, to look into the matters more and let more
3 public comment be necessary, or be heard, and correct some
4 of the obvious errors that are done in the report.

5 Anything else, I mean, I can't imagine what your
6 job would be if it's not to do something like that.

7 I was told we don't even need the gas right now in
8 California, which means we're either doing this for the East
9 Coast, whatever environmental impact that is being
10 considered right now, I don't think we can even calculate by
11 what environmental impact that we won't go ahead with,
12 because this project takes care of a problem by just
13 delaying whatever solution we can come up with that would be
14 better than this.

15 So by going ahead with this project, we're
16 basically not helping the environment with other projects
17 that could go ahead, because we're solving a problem that
18 shouldn't be solved by putting Oxnard in jeopardy.

19 If we're going to be put in jeopardy, at least
20 Oxnard should be getting the revenue or something out of it.
21 Oxnard doesn't seem to be getting anything out of this.

22 So just as a -- as part of what seems like you're
23 here for us, what I haven't heard is the reason why this is
24 environmentally good, environmentally safe, for this project
25 to go ahead, which I would think is your all's

T005-76.1
(cont'd)

T005-76.2

Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission.

T005-76.3

The selection of the No Action Alternative by decision-makers, for which they have full discretion, would not fulfill the purpose and need of the Project to supply natural gas to California consumers but would maintain, for an indeterminate time, the status quo of California's and the nation's existing and projected energy supply mix, including conservation and renewable energy sources.

T005-76.4

Section 4.13.2.1 contains information on the franchise agreements that the City of Oxnard has with SoCalGas.

T005-76.3

T005-76.5

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-76.4

T005-76.5

1 responsibility to determine that for us and, from what I've
2 heard tonight, it doesn't seem to have happened.

T005-76.5
(cont'd)

3 So thank you.

4 (Applause.)

5 MODERATOR MICHAELSON: Hayden Riley.

6 MS. RILEY: Good evening, I'm Hayden Riley, and
7 I'm here as a private citizen.

COMMENTER
T005-77

8 We cannot take terrorism lightly, and the BHP
9 EIR/EIS is inadequate with its safety standards. In 1977,
10 the Bureau of Mines said a plume would go 76 miles. Also,
11 in '77, the U.S. Coast Guard said it would go 28 miles.

T005-77.1

12 On March 28th, 2004, in a Ventura Star editorial,
13 the BHP manager admitted that a large release of gas would
14 take three to five miles to dissipate. Now, the EIS says it
15 will go 1.6 miles.

T005-77.2

16 These are all theoretical calculations. Which one
17 is right? Is it 76 miles, 1.6 miles, or somewhere in
18 between?

19 Science. Science discovered electricity, the
20 light bulb, telephones, airplanes, radio, television, and we
21 landed a man on the moon, all before 1977. We were not
22 stupid before 1977. Science did not begin in 2004.

23 That being said, the EIS must rely on more than
24 just scientific theoretical calculations. There is too much
25 at stake.

T005-77.3

T005-77.1

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T005-77.2

Section 4.2.3, the Independent Risk Assessment (Appendix C1), and the U.S. Department of Energy's Sandia National Laboratories' review of the Independent Risk Assessment (Appendix C2) contain revised information on the 1977 Oxnard study.

T005-77.3

To date, there has never been a large spill of LNG to water. Conducting a large LNG spill to validate the models would result in adverse environmental consequences. However, models are commonly validated using experimental data. Section 2.3.4.2 of Appendix C1 contains information on tests executed by the U.S. Department of Energy and the calibration/verification of the Fire Dynamics Simulator model used in the Independent Risk Assessment. Appendix C1 provides additional information on this topic, and Appendix C2, prepared by the U.S. Department of Energy's Sandia National Laboratories, contains information on the review and assessment of the models used.

1 Currently, we have approximately 46 LNG proposals
2 nationwide, and yet, you still haven't conducted an actual,
3 large LNG spill offshore. Your EIS must be based upon an
4 actual large spill test result.

5 The 1977 scientists were criticized here, tonight.
6 I am afraid in 2010 your 2004 scientists will be criticized
7 after a catastrophic LNG disaster occurs.

8 Unless you conduct large-scale spills, you must
9 err on caution and deny the application.

10 I love this city, I love this State, and I love
11 this country. Please protect us from this unnecessary
12 Guinea Pig project.

13 Are you listening? The people have spoken.

14 Thank you.

15 (Applause.)

16 MODERATOR MICHAELSON: Linda Calderoni?

17 MS. CALDERON: Good evening, my name is Linda
18 Calderon, there's no "i" and no "e".

19 I'm trying to not go over some of the things that
20 were said before. And one of the things that the gentleman,
21 who said he used to work for the gas company, it was
22 confusing to me because he made it sound like everything was
23 going to go through the same pipes that are already there,
24 but I don't think that's the way it is because we've heard
25 about where pipelines are going to be put.

T005-77.3
(cont'd)

T005-77.4

Sections 2.1 and 4.2.7.3 contain information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU and LNG carriers.

T005-77.5

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-78.1

Section 2.4 contains revised information on onshore pipelines.

T005-77.4

T005-77.5

COMMENTER
T005-78

T005-78.1

1 So one of the things is I have the dubious
2 pleasure of living on one of the streets where we're putting
3 the sewer line through, and I can tell you they've run into
4 so many problems. One of the things they ran into right
5 away is that seawater is only five feet down, and that's
6 pretty much all over the city, all the way back to the
7 fields, it's only five feet down.

8 So I'm not sure how deep your pipes have to go,
9 but I would think they'd be a little bit deeper than five
10 feet. So that's one of the problems.

11 They ran into clay getting into the pipes. They
12 had to put on scuba gear and go down, underneath there, and
13 they couldn't see, they had to do it by just touch. So
14 that's one of the things you need to think about.

15 Also, I'd say that I have the same question that
16 many people have, and that is why Oxnard? That's one of the
17 things. I think, you know -- you know, people knew that it
18 would not go, it would not fly in Santa Barbara or any other
19 area.

20 We don't need LNG. Maine refused it. They don't
21 have it. And I think the time has come, and long passed, to
22 get on with solar and wind energy. I think if you've been
23 in this city, in the past few days, you know we have wind
24 energy. That's not a problem, it doesn't explode, there's
25 no problem. The technical things are already there, in

T005-78.2

T005-78.2

Section 2.7.1.2 describes the depth of the proposed pipelines and the method for managing groundwater if it were to be encountered during pipeline construction.

T005-78.3

The USCG, MARAD, and the CLSC received an application for a deepwater port off the shore of Ventura County. The USCG and MARAD are therefore required under NEPA to evaluate this alternative as the Applicant's preferred alternative. The agencies have evaluated this alternative in comparison with the other reasonable alternatives in compliance with NEPA and the CEQA.

The EIS/EIR initially evaluated 18 locations for the FSRU as potential locations for the deepwater port. It built on previous California Coastal Commission studies that evaluated nearly 100 locations. Section 3.3.7 contains information on other locations that were considered.

T005-78.4

Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission.

T005-78.3

T005-78.5

Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan.

T005-78.4**T005-78.5**

1 place.

2 And in addition to the danger to the population,
3 and so on, I have a hobby of photography, I love to take
4 pictures of the islands out there, I don't think it's going
5 to look nearly as pretty if this is put in.

6 I think, if Palm Springs can have wind energy, so
7 can we.

8 That's all I have to say, thank you.

9 (Applause.)

10 MODERATOR MICHAELSON: Did I call your name
11 earlier?

12 MR. WITT: Randy Witt.

13 MODERATOR MICHAELSON: Yeah, go ahead.

14 MR. WITT: Hi, my name is Randy Witt. I'm in
15 favor of LNG, as is our overwhelmingly-elected Governor
16 Schwarzenegger, that was one of his main platforms was
17 supporting LNG. One of the reasons that Governor Davis was
18 voted out of office was because of the energy problems that
19 we have in this State, and one of the reasons that Governor
20 Schwarzenegger was voted in is because of his support for
21 LNG.

22 There are 140 LNG tankers that routinely cross the
23 world's oceans, delivering LNG to 11 countries, and there's
24 also 40 different LNG delivery and storage unit facilities.

25 It seems to me that if you're concerned about

T005-78.6

T005-78.6

Section 4.4 and Appendix F contain information on visual resources, impacts, and mitigation. Appendix F describes how visibility from various distances was evaluated and provides additional simulations prepared for viewpoints at elevated sites along the Malibu coastline and inland areas.

T005-78.7

T005-78.7

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER
T005-79

T005-79

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

1 testing a spill, that would be one thing, but every year
2 there's 140 LNG tankers and there really haven't been any
3 spills.

4 And we've heard people from the gas company talk
5 about the safety. What they were talking about is that the
6 gas that's delivered, that everybody here, I'm sure, uses in
7 their home, is delivered in pipelines that are pressurized,
8 and also pipelines that are the same size that the LNG gas
9 will be used.

10 When people talk about why Oxnard, and they talk
11 about wind, cities overwhelmingly reject the notion of
12 having all of the wind turbines in their area, and I find it
13 highly unlikely that even the people of Oxnard would like a
14 wind turbine facility in their area.

15 What I'm hearing over and over again is not in
16 Oxnard. Why can't we build it in Malibu, why can't we build
17 it in Santa Barbara? And of course, there are offshore oil
18 lines in Santa Barbara, currently, just as there are oil
19 wells actually on the property of Beverly Hills High School.

20 So it's not just a matter of not having gas and
21 not having oil in areas that have revenue.

22 If it wasn't for the need for the gas, this large
23 company wouldn't be wanted to provide it, to make a profit.

24 And that's really all I have to say. Thank you.

25 MODERATOR MICHAELSON: Alice Tsang?

1 All right, the next set of speakers that I have
2 cards for are Cynthia Weiss, it looks like Patti McClain,
3 Claudia Ramirez, Gilberto Vasquez, Gloria Roman, Antonia
4 Cortez, Nancy Snooks, Leticia Pinedo, and Marlene Herman.

5 Go ahead, sir, just give us your name?

6 MR. VASQUEZ: My name is Gilbert Vasquez. I call
7 for this situation, or the LNG, as it's too dangerous,
8 but -- and, of course, our security, and everything, the
9 line. And why open the ocean for big ships that have
10 thousands of gallons of gas, it's very dangerous.

11 And here is home to -- it's just too dangerous
12 here, in California, or in the San Andreas, the fault here
13 in -- crossing the Camarillo one. It is very dangerous.

14 And we need some more information, for help, and
15 to know for this project is no good, it's dangerous to
16 Oxnard and for everybody. Thank you.

17 (Applause.)

18 MS. ROMAN: Good evening, ladies -- lady and
19 gentlemen. Please bear with us.

20 You know, our lives are at stake here and maybe
21 this is the last time that some of us have the pleasure of
22 applauding and cheering for something that we believe in,
23 you know, we -- our days are numbered if this project
24 goes -- goes on.

25 MODERATOR MICHAELSON: Can we have your name,

COMMENTER
T005-80

T005-80.1

T005-80.2

T005-80.3

COMMENTER
T005-81

T005-81.1

T005-80.1

Section 4.2 and Appendix C contain additional and revised information on public safety.

T005-80.2

Section 4.11 contains revised information on seismic and geologic hazards and mitigation that specifically addresses the potential damage to proposed pipelines from a direct rupture along fault lines. Appendices J1 through J4 contain additional evaluations of seismic hazards.

T005-80.3

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-81.1

Section 4.2 and Appendix C contain additional and revised information on public safety.

1 please?

2 MS. ROMAN: Oh, I'm sorry. "Mi nombre es Gloria
3 Roman." My name is Gloria Roman. And please bear with me.

4 I want to bring this to your attention, that
5 only -- it's probably been only like three to four weeks
6 since all this mass of information, like all the brochures,
7 and things that Billiton is passing around, distributing to
8 the community. It's only been what, three or four weeks, or
9 something like that.

10 And now they want to -- and all of the sudden they
11 come up with all this information. Look at those books,
12 they want to shove all that down our throats. How can
13 we -- how can you expect the community to go through all
14 those brochures, go through all of that, when it's too much.
15 I know it's probably too much for you, too. It's too much
16 information. So we need more time.

17 There needs to be an investigation as to whether
18 the public was properly -- properly notified about this
19 project. The disparity of notification to the community
20 about the first hearing, which was in March. There was only
21 900 postcards mailed out to the community, 900.

22 Ninety-four persons were e-mailed. This is in
23 your EIR information. Only 63 were certified mail to
24 interested parties. In an area of over 500,000 population,
25 where their health and their safety would be at risk. Also,

T005-81.2

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could not be extended at that time, a March 2006 Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold a hearing to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

T005-81.3

Section 1.5 contains information on the public review and comment opportunities provided by the lead agencies in full conformance with the provisions of the law. Both the CSLC and MARAD/USCG have met or exceeded the public notice requirements for this Project (see Sections 1.5.1 and 1.5.3).

1 including a region of millions of people that will be
2 economically affected.

3 As for the present mailing, mass mailing
4 notification, which contains a lot of misinformation to sway
5 positive public opinion to support the project.

6 I just want to -- one more last thing here. Last
7 night I was in Santa Clarita, at one of these meetings here,
8 with you, and Ms. McDonalds made a statement that BHP
9 Billiton takes care of their employees. That's what I
10 heard.

11 Now, I want to know how did Enron treat their
12 employees while she was at Enron?

13 Another one thing, I want some -- maybe some of
14 the people are going to --

15 MODERATOR MICHAELSON: Ms. Roman, your three
16 minutes is up.

17 MS. ROMAN: Oh, it's finished?

18 MODERATOR MICHAELSON: Yes.

19 MS. ROMAN: Give me some more time, I'm having a
20 hard time reading this, my English is --

21 MODERATOR MICHAELSON: I understand --

22 MS. ROMAN: "Por favor, un momento, rapido. Un
23 poquitito mas."

24 I just want to -- you know, about Arnold -- Arnold
25 Schwarzenegger promised that he would look, first, into

T005-81.3
(cont'd)

T005-81.4

Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan.

T005-81.4

1 alternative energy before he can make up his mind on this
2 fossil fuel.

3 And about the crisis of energy that was caused a
4 few years ago, it was for the -- it was not caused for lack
5 of energy, but only to make profit.

6 That's all, thank you.

7 (Applause.)

8 MODERATOR MICHAELSON: Cynthia Weiss? Patti --
9 are you Cynthia Weiss?

10 MS. SNOOKS: Nancy Snooks.

11 MODERATOR MICHAELSON: Sorry?

12 MS. SNOOKS: Nancy Snooks.

13 MODERATOR MICHAELSON: Okay, let me see if we've
14 gotten to -- go ahead, thank you.

15 MS. SNOOKS: Okay. I don't have anything new to
16 add, but I am very concerned about the project. Why Oxnard
17 has been selected, instead of some place that's more
18 obscure. You have, you know, the population here, you have
19 the fault lines, and the serious concern of terrorism.

20 I think that's all I want to say right now, thank
21 you.

22 (Applause.)

23 MODERATOR MICHAELSON: Cynthia Weiss, Patti
24 McClain, Claudia Ramirez, or Antonia Cortez, I'll call your
25 name one more time.

T005-81.4
(cont'd)

T005-82.1

The CLSC, the USCG, and MARAD received an application for a deepwater port off the shore of Ventura County and have therefore analyzed that location.

Section 3.3.7 contains information on locations in California that, in the past, have been considered as potential locations for both offshore and onshore LNG facilities. The deepwater port would be 12.01 nautical miles (13.83 miles) offshore from populated areas, as shown on Figure ES-1.

Section 4.11 contains additional and revised information on seismic and geologic hazards.

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the potential threat of terrorist attacks.

COMMENTER
T005-82

T005-82.1

1 Okay, let's move onto the next cards. Leticia
2 Pineda, Marlene Herman, Jim McComb, Paula Simental, Edward
3 Huerta, Karine Adalian. Okay, if you would come forward to
4 this row, here, and go ahead.

5 MS. ADALIAN: Hi, my name is Karine Adalian. I'm
6 a 30-year plus resident of Ventura County, and I own a home
7 here, in Oxnard.

8 Many people have talked about terrorism, today,
9 but I don't know that any of them have experienced it quite
10 the way I have. Our offices were on Wall Street, across
11 from the New York Stock Exchange, on September 11th. I
12 didn't go into work that day because of the total chaos when
13 I got out of the subway.

14 I might also add, that even with the thousand-page
15 Environmental Impact Report that you have, there's no way
16 that you have come up with every possible scenario. Because
17 I guarantee you, even though in the World Trade Center was
18 the famous bunker for the command center, they didn't plan
19 on that bunker being targeted.

20 So what happens if the hospital is in jeopardy
21 because of where you have these pipelines?

22 What happens if the first responders are in the
23 areas where there may be a leak?

24 I've also lived through a number of earthquakes in
25 the 30 plus years that I've lived here, in California, and I

COMMENTER
T005-83

T005-83.1

T005-83.2

T005-83.3

T005-83.4

T005-83.1

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T005-83.2

Section 4.13.1.3 contains information on sensitive land uses including hospitals, and Figure 4.13-2 shows their locations. No hospitals are located directly adjacent to the proposed Center Road Pipeline.

T005-83.3

Sections 4.2.4.2 and 4.16.1.2 describe onshore emergency response capabilities. No fire or police stations are located adjacent to the proposed Center Road Pipeline. The EIS/EIR initially evaluated 18 locations for the FSRU as potential locations for the deepwater port. It built on previous California Coastal Commission studies that evaluated nearly 100 locations. Sections 3.3.7 and 3.3.9 discuss alternate locations and technologies that were considered.

T005-83.4

Section 4.11 contains revised information on seismic and geologic hazards and mitigation that specifically addresses the potential damage to proposed pipelines from a direct rupture along fault lines. Appendices J1 through J4 contain additional evaluations of seismic hazards.

1 don't think you can totally expect and mitigate for any of
2 the possibilities that come with that.

T005-83.4
(cont'd)

3 And I know the person that I talked with earlier,
4 who said he was a nuclear engineer, looking at liquified
5 natural gas and the impacts that there might be, I'm sure he
6 cannot have come up with all the possible scenarios that can
7 affect the area, here.

T005-83.5

8 Now, somebody recently talked about something that
9 I thought was a good idea, having a large-scale spill test.
10 I'm going to propose there are a couple of good sites for
11 that. The two that come to mind, even though I have
12 relatives that have lived in Australia since the 1970s, is
13 how about the Sydney Harbor, next to the Sydney Opera House?
14 Or what about the Great Barrier Reef, which also is a very
15 diverse area for marine life?

T005-83.6

16 I don't remember anybody talking today about the
17 Chumash Indians, who lived and prospered in this area until
18 all of us "whities" showed up.

T005-83.7

19 So even if your Environmental Impact Report were a
20 million pages long, I still don't think that you could have
21 come up with all the possible scenarios and all the possible
22 mitigations.

T005-83.8

23 I also would like to add that I have an
24 undergraduate degree in chemical engineering from U.C.
25 Berkeley, and an MBA from NYU.

T005-83.5

Table 4.2-2 identifies representative hazards and threats considered in the public safety analysis.

T005-83.6

To date, there has never been a large spill of LNG to water. Conducting a large LNG spill to validate the models would result in adverse environmental consequences. However, models are commonly validated using experimental data. Section 2.3.4.2 of Appendix C1 contains information on tests executed by the U.S. Department of Energy and the calibration/verification of the Fire Dynamics Simulator model used in the Independent Risk Assessment. Appendix C1 provides additional information on this topic, and Appendix C2, prepared by the U.S. Department of Energy's Sandia National Laboratories, contains information on the review and assessment of the models used.

T005-83.7

Section 4.9.1 contains information on cultural resources surveys, including the results of an onshore pedestrian cultural resources survey and an assessment of national and state registry eligibility.

T005-83.8

Table 4.2-2 identifies representative hazards and threats considered in the public safety analysis.